

EXHIBIT E

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MONADNOCK CONSTRUCTION, INC.,

Case No.: 16 CIV. 00420
(JBW)(VMS)
ECF Case

Plaintiff,

-against-

WESTCHESTER FIRE INSURANCE
COMPANY,

Defendant.

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WESTCHESTER FIRE INSURANCE
COMPANY,

Third-Party Plaintiff,

-against-

GLASSWALL, LLC, UGO COLOMBO, and
SARA JAYNE KENNEDY COLOMBO,

Third-Party Defendants.

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**OBJECTIONS OF SARA JAYNE COLOMBO TO
SUBPOENA TO PRODUCE DOCUMENTS, ETC.**

Pursuant to Fed. R. Civ. P. 45, third-party defendant Sara Jayne Kennedy Colombo (“Kennedy”), by her undersigned counsel, objects to the Subpoena to Produce

Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (the “Subpoena”), and in support, states as follows:

GENERAL OBJECTIONS

1. The Subpoena¹, which seeks production of 25 categories of documents, is in violation of this Court’s Order of January 31, 2018 staying discovery in this matter. A copy of the Order is attached hereto as Exhibit “A”.
2. The Subpoena was not properly served on Kennedy. Rather, the Subpoena was simply left at Kennedy’s residence.
3. The document production requests set forth in the Subpoena are overbroad and burdensome in that, on their face, they seek documents, including confidential financial documents, of third parties.

OBJECTIONS TO SPECIFIC REQUESTS

1. In addition to the General Objections which are incorporated herein, Requests 1-25 all seek information of Ugo Colombo, Glasswall, LLC and Tecnoglass Inc., third parties over whom Kennedy has no authority or control.
2. Moreover, Requests 1-4, 8, 18, and 22 improperly seek the confidential financial information of Colombo.
3. Nothing set forth herein shall be deemed an acknowledgement or admission that

¹ The Subpoena makes reference to “Civil Action No. SDNY 16-CIV-420 (JBW)(VMS).” The reference to “SDNY” is incorrect as the matter is pending in the Eastern District of New York, not the Southern District.

Kennedy is in possession of any documents responsive to any of the Requests set forth in the Subpoena.

DATED: MIAMI, FLORIDA

March 27, 2018

MARKO & MAGOLNICK, P.A.

By: /s/Joel S. Magolnick

Joel S. Magolnick, Esq.

(admitted *pro hac vice*)

Attorneys for Third-Party Defendants

Ugo Colombo and Sara Jayne Kennedy Colombo

3001 S.W. 3rd Avenue

Miami, Florida 33129

Telephone: 305-285-2000

Telefax: 305-285-5555

E-mail: magolnick@mm-pa.com

TO: WACHTEL MISSRY LLP

Attorneys for Monadnock Construction, Inc.
885 Second Avenue
New York, New York 10017
Telephone: (212) 909-9500
Telefax: (212) 371-0320

COZEN & O'CONNOR

Attorneys for Westchester Fire Insurance Company
277 Park Avenue
New York, New York 10172
Telephone: (212) 883-4900
Telefax: (212) 986-0604

CINQUE & CINQUE, P. C.

Attorneys for Third-Party Defendant
Glasswall, LLC
845 Third Avenue, Suite 1400
New York, New York 10022
Telephone: (212) 759-5515
Telefax: (212) 759-7737

Record of Conference and Orders: Vera M. Scanlon, USMJ

Date: 1/31/2018

Case: Monadnock Construction, Inc. v. Westchester Fire Insurance

Telephone Conf. @ 2:30 PM

Civ. A. 16-cv-00420-JBW-VMS

ECF Recording in 13A South:

Telephone Conference

In-person Conference

Counsel: (See separately docket entry or document for specific appearances)

Counsel for Plaintiff(s) Pro Se Plaintiff(s) Counsel for Defendant(s) Pro Se Defendant(s)

Conference Type:

Initial Conference Status Conference Settlement Conference Motion Hearing Discovery Conference
 JPTO Conference Other _____

Further to the conference, discovery and other scheduling dates are as follows:

(If dates previously set by the Court are not reset, they remain as stated in the previous order.)

Motions decided on the record

[39] granted on
consent! Discovery stayed.

- Rule 26(a) disclosures, incl. supplements
- Document requests to be served
- Interrogatories to be served
- Amended pleadings, incl. joinder
 - Complaint Answer
- Joint status letter Stip of dismissal to be filed
- Status conference
 - In person Telephone (718) 613-2300
- Specific depositions to be held
- Fact discovery closes
- Expert disclosures to be served
- Initial expert report(s) to be served
- Rebuttal expert report(s) to be served
- Expert discovery closes
- All discovery closes
- Joint letter confirming discovery is concluded
- Summary judgment to be initiated
- Joint pre-trial order to be filed
- Proposed confidentiality order to be filed
- Consent to Magistrate Judge to be filed
- Settlement Conference

To be served To be filed

On consent By motion By PMC letter

Date: 2/9/18 Time: _____

To be organized by:

PMC letter Briefing

Letter for conference Proposed JPTO

Date: _____ Time: _____

Page ___ of ___

Vera M. Scanlon, USMJ
Conference Orders, Continued

Case: Monadnock

Civ. A. 16-420.

Date: 1/31/2018

Additional Orders:

As discovery was recharged in the arbitration, counsel would to move for SJ and T-O at this stage. If the motion is denied, counsel may seek limited discovery.

On the motion at [79] IT consents to the stay, as does WFTC and the 3rd party. Discovery stay granted.

The newly served third-party defendants intend to file dispositive motions which may affect the motion for collateral at [55].

The briefing schedules discussed during the conference are approved. By 2/9/18, counsel should file their respective briefing schedules by letter.